



900 17th Street, NW, Suite 400, Washington, DC 20006. PH:202 296 6650. FX:202 296 7585. www.comptel

November 1, 2010

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: GN Docket No. 09-51, WC Docket No. 10-143

Dear Ms. Dortch:

On October 29, 2010, Joe Gillan of Gillan Associates, David Malfara of the ETC Group, LLC and the undersigned met with Sharon Gillette, Bill Dever, Marcus Maher, Al Lewis and Jennifer Prime of the Wireline Competition Bureau. We urged the Commission to clarify that Sections 251 and 252 of the Communications Act, 47 U.S.C. §§ 251 and 252, continue to govern the interconnection and traffic exchange obligations of incumbent local exchange carriers even as these carriers transition from a circuit-switched based network architecture to IP. The Act's interconnection provisions are technology-neutral and in order to "encourage the shift to IP-to-IP interconnection where efficient,"¹ the Commission should reiterate that requesting carriers are entitled to interconnect and exchange traffic in IP format with incumbent LECs where technically feasible, that such interconnection and traffic exchange arrangements should be memorialized in interconnection agreements filed and approved in accordance with the requirements of Section 252, and that if carriers are unable to reach agreement on interconnection arrangements, open issues may be resolved through arbitration pursuant to Section 252.

During the meeting we covered the points in the attached slide deck. To illustrate the need for the Commission to clarify IP interconnection rights sooner rather than later, we provided copies of the attached briefs filed in a Section 252 arbitration proceeding before the Texas Public Utility Commission. The briefs address two critical issues: whether incumbent LECs must provide SIP and other forms of IP signaling where technically feasible to accommodate IP-to-IP interconnection in accordance with Sections 251 and 252 and whether incumbent LECs must provide interconnection at any technically feasible location. IP interconnection issues are beginning to emerge and it is critical that such issues are addressed and resolved in a manner that promotes and

¹ National Broadband Plan at 49, Recommendation 4.10.

Ms. Marlene H. Dortch
November 1, 2010
Page 2

enhances competition as well as an “efficient migration to an all-IP world.”² The Commission should make clear that the Act is technology neutral and that the rights and obligations of interconnecting carriers are protected by Sections 251 and 252 of the Act even as the network architecture transitions from circuit-switched to IP.

Should you have any questions relating to this submission, kindly contact me.

Respectfully submitted,

/s/

Mary C. Albert

Attachments

cc: Sharon Gillette
Bill Dever
Marcus Maher
Al Lewis
Jennifer Prime

² FCC Public Notice, “Comment Sought On Transition From Circuit-Switched Network To All IP-Network,” GN Docket Nos. 09-47, 09-51, 09-137, NBP Public Notice #25, DA 09-2517 (rel. Dec. 1, 2009).